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C O N F I D E N T I A L SECTION 01 OF 03 USNATO 000566

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SUBJECT: KOSOVO TROIKA UPDATES NATO-RUSSIA COUNCIL AND
OUTLINES WAY FORWARD

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Classified By: Ambassador Victoria Nuland, for reasons 1.4 (b) and (d)

¶1. SUMMARY: The representatives of the Kosovo Troika (U.S. representative Frank Wisner, EU representative Wolfgang Ischinger, and Russian representative Alexander Botsan-Kharchenko) briefed a special meeting of the NATO-Russia Council (NRC) on Monday, October 15, providing a general update on where things stand and the way forward following the most recent Troika negotiations on Sunday, October 14. Of particular note, Russian Troika Representative Botsan-Kharchenko praised Belgrade's "flexibility" in improving its offer of autonomy for Kosovo, but added that this would not be enough to achieve a final settlement. All NATO Permanent Representatives (PermReps) who spoke expressed their full support for the Troika-led process and welcomed the pro-active role that the Troika was playing in facilitating the face-to-face talks, but remained largely silent on what might happen if there is no agreement by a December 10 deadline. Russian Ambassador Totskiy said Moscow is convinced a negotiated settlement is possible and warned that unilateral independence for Kosovo would set a precedent for other areas of the world; the Dutch PermRep refuted the Russian arguments on precedents, saying Kosovo was a unique case. END SUMMARY.

TROIKA UPDATES THE NRC

¶2. (SBU) NATO Secretary General Jaap de Hoop Scheffer opened an October 15 meeting of the NATO-Russia Council by expressing NATO's full support for the Troika-led process, saying that KFOR has a lot at stake regarding the potential security repercussions in the region if there is further delay in resolving Kosovo's status. EU Troika Representative Ambassador Ischinger began by updating the NRC on the progress to date including the recent October 14 face-to-face meetings between the parties in Brussels and the commitments that the Troika obtained from both parties to avoid provocative acts or statements during the negotiations. He described the negotiations as difficult and complex given the wide gap that currently exists between Belgrade and Pristina. He noted that support from the international community is crucial and that, through the Contact Group, the Troika has found a way to work with the parties. He also said that both parties have accepted the Troika process and that they continue to engage at the highest level.

¶3. (SBU) Ambassador Wisner reiterated that the Troika's mandate would last for 120 days, through the December 10 deadline by which the U.N. Secretary General has requested a report from the Contact Group on these efforts. He informed the NRC that based on the Contact Group Ministerial guidance

received in New York, the Troika is now making a strong effort not only to facilitate the face-to-face discussions, but also be proactive about presenting ideas and measures drawn from the respective proposals. Although he was careful to emphasize that the Troika's mandate was not to impose solutions, Ambassador Wisner asserted that the Troika process should make every attempt to find common ground between the two sides and to leave "no stone unturned" by the time of their December 10 report. Wisner noted that in the discussions on October 14 both parties had exchanged views on their proposals and that the Troika had put on the table a paper of principal conclusions that were drawn from the parties' positions to help find common ground. Russian representative Botsan-Kharchenko in a mild presentation re-confirmed Russia's continued support for the Troika process and that there still remains a "slim chance" that they can arrive at a mutually acceptable solution. However, he stated that there should be no prejudging of the final outcome and that the Troika is obligated to respect current international documents, mentioning UNSCR 1244, Contact Group Guiding Principles, and Ministerial statements. While praising Serbia's engagement in the process, he acknowledged Belgrade's autonomy offers to date would not be enough to bridge the gap; more movement was required. All three of the representatives acknowledged that the Troika, as of the October 14 Brussels talks, has entered into a new stage of the negotiations which will feature intensified face-to-face talks over the coming weeks. The next meeting is scheduled to take place in Vienna on October 22. Wisner praised NATO's ongoing role in providing peace and stability in the region and that KFOR remains essential to ensuring a favorable security environment to support the Troika-led political process.

USNATO 00000566 002 OF 003

ALLIED INQUIRIES

14. (C) All Allies who spoke (QUINT PermReps did not take the floor given their follow-on lunch with Ambassadors Wisner and Ischinger) conveyed their support of the Troika process, with regional Allies, Greece, Romania, Bulgaria, Hungary, Slovakia, and Slovenia highlighted the importance of a successful negotiation process to regional security. While Allies largely avoided a political discussion on post-December 10 actions should the parties fail to reach agreement, Greece, Hungary, and Slovakia noted their preference for a new UN Security Council resolution, while Canada stated that a unilateral declaration of independence "is less than ideal". (Note: Afterwards Canada confirmed it would support the Allied line on UNSCR 1244 and support maintaining KFOR in Kosovo. End Note.) The Slovenian PermRep noted that the Troika negotiations could not go on without limits, and that the moment of decision on Kosovo is coming. Spain reiterated its call for unity in the international community. Allies largely welcomed the more pro-active process led by the Troika that would present common principles to the parties based on areas of overlap from their respective proposals. The Troika, in response to several Allied PermRep inquiries elaborated on the areas of overlap noting that: 1) both sides acknowledge there will be no return to Kosovo's pre-1999 status; 2) Belgrade and Pristina are ready to cooperate on areas of mutual concern such as minority protection, cultural sites, and energy; 3) the parties could establish joint bodies responsible for implementing cooperative actions. Responding to the Dutch and Spanish PermReps, the Troika noted that both sides have indicated their desire for the international community's continuing role in Kosovo, including security.

RUSSIAN REACTION

15. (SBU) Russian Ambassador to NATO Totskiy acknowledged the Troika,s tough mission, noting that Moscow is convinced that a negotiated settlement is achievable based on international law and praised Belgrade,s pro-active approach. Totskiy denigrated Pristina,s efforts saying the Kosovo Albanians hopes for independence are being fed by high level promises of independence from the international community and that the threat of violence in Kosovo after December 10 is blackmail. He reiterated Russia,s argument that granting independence to Kosovo would set a precedent for other regions throughout Europe and the world. In response, the Dutch PermRep, speaking broadly for all Allies, strongly pushed back on the precedent argument, saying that the political and historical facts surrounding Yugoslavia,s break-up speak for themselves. In particular, he noted the heavy involvement that the U.N. Security Council and international community has made Kosovo is a unique situation that would not set a precedent for other conflicts around the world.

TROIKA RESPONDS

16. (SBU) Pressed by Allies whether they envisioned a "Dayton" or Rambouillet-style endgame, Ischinger said some intense final days might be possible but, unlike popular impressions of Dayton, the Troika would neither impose a solution nor countenance any "Respublikas" with Kosovo. Ischinger expressed his personal view that if the Troika cannot achieve an agreed solution in the 120-day negotiating period than it would not happen even with "another 1,200 days". He further stated that the European Union,s perspective plays an important role in shaping Belgrade,s attitude, suggesting that one area which could have a significant impact on how the Serbs view the EU is visa liberalization. Ambassador Wisner reiterated the Troika,s role facilitating the search for common ground given the considerable domestic political constraints in Belgrade and Pristina. Responding to questions about minority rights, Ambassador Wisner highlighted that no party had spoken about diminishing minority protections in Kosovo as envisioned in the Ahtisaari proposal, which were among the highest-level of minority protection found anywhere in Europe.

QUINT FOLLOW-ON MEETING

17. (C) In the follow-on QUINT lunch meeting with Ambassadors

USNATO 00000566 003 OF 003

Wisner and Ischinger, the conversation focused primarily on strategy and tactics vis--vis Russia, Trans-Atlantic unity, and creating incentives for the parties to negotiate seriously in the end game.

NULAND